

David J. Burman (admitted *pro hac vice*)
Cori G. Moore (admitted *pro hac vice*)
Eric J. Weiss (admitted *pro hac vice*)
Nicholas H. Hesterberg (admitted *pro hac vice*)
Steven D. Merriman (admitted *pro hac vice*)

PERKINS COIE LLP

1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Joren S. Ayala-Bass, State Bar No. 208143
JBass@perkinscoie.com

PERKINS COIE LLP

Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: 415.344.7120
Facsimile: 415.344.7320

Attorneys for Plaintiff
Costco Wholesale Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

CASE NO. 3:07-CV-05944-SC
MDL NO. 1917

This Document Relates to:

INDIVIDUAL CASE NOS.: 3:11-CV-
06397-SC, 3:11-CV-05723-SC

*Costco Wholesale Corporation v. Hitachi, Ltd.,
et al.*, Individual Case No. 3:11-CV-06397

*Costco Wholesale Corporation v. Technicolor
SA, et al.*, Individual Case No. 13-cv-05723

**[PROPOSED] ORDER VOLUNTARILY
DISMISSING COSTCO'S CLAIMS
UNDER ARIZONA, ILLINOIS, AND
FLORIDA STATE LAW**

**[PROPOSED] ORDER VOLUNTARILY
DISMISSING COSTCO'S CLAIMS UNDER ARIZONA,
ILLINOIS, AND FLORIDA STATE LAW**
Case No. 3:07-cv-05944-SC

[Proposed] Order

Pursuant to stipulation of plaintiff Costco Wholesale Corporation (“Costco”) and defendants LG Electronics, Inc., LG Electronics USA, Inc., Hitachi, Ltd., Hitachi Displays, Ltd., Hitachi America, Ltd., Hitachi Asia, Ltd., Hitachi Electronic Devices (USA), Inc., Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, LLC, Toshiba America Electronic Components, Inc., Toshiba America Information Systems, Inc., Technicolor SA (f/k/a Thomson SA); Technicolor USA, Inc. (f/k/a Thomson Consumer Electronics, Inc.), Technologies Displays Americas LLC (f/k/a Thomson Displays Americas LLC), Mitsubishi Electric Corporation, Mitsubishi Electric Visual Solutions America, Inc., Mitsubishi Electric US, Inc., Samsung SDI America, Inc., Samsung SDI Co., Ltd., Samsung SDI (Malaysia) SDN, BHD, Samsung SDI Mexico S.A. DE C.V., Samsung SDI Brasil Ltda., Shenzhen Samsung SDI Co., Ltd., and Tianjin Samsung SDI Co., Ltd. (collectively, “Defendants”) and Rule 41(a)(1) of the Federal Rules of Civil Procedure, and good cause appearing,

IT IS HEREBY ORDERED as follows:

1. Costco’s claims under the Arizona Antitrust Act (Ariz. Rev. Stat. § 14-1401 et seq.), the Florida Deceptive and Unfair Trade Practices Act (Florida Stat. § 501.201 et seq.), and the Illinois Antitrust Act (740 Illinois Code 10/1 *et seq.*) are dismissed with prejudice;
2. Costco and Defendants shall bear their own costs and fees with respect to the dismissed claims;
3. The motion for summary judgment regarding intrastate activity (MDL Dkt. 3031) is withdrawn with respect to Costco;
4. The motions for summary judgment regarding choice-of-law (MDL Dkt. 2997) and due process (MDL Dkt. 3029) are withdrawn with respect to Costco except insofar as they challenge Costco’s claim under California law;
5. The stipulation and this order thereon shall have no bearing on the applicability of the aforementioned motions in the cases of plaintiffs other than Costco; and

1 6. The stipulation and this order thereon shall have no bearing on Costco's claims
2 under Section 1 of the Sherman Act (15 U.S.C. § 1) or the California Cartwright Act (Cal. Bus. &
3 Profs. Code § 16700 *et seq.*) against any remaining defendants in Costco's cases.

4
5 **IT IS SO ORDERED.**

6
7 DATED: _____

8 Hon. Samuel A. Conti
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 LEGAL124385254